

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

ERIKA PAGE,

Plaintiff,

Civil Action No. 6:09-CV-1099

vs.

MRS ASSOCIATES INC.,

Defendant.

Z APPEARANCES:

Lemberg & Associates LLC
100 Summer Street
Floor 3
Stamford, CT 06905
Attorney for Plaintiff

OF COUNSEL:

Sergei Lemberg, Esq.

Norman A. Mordue, Chief Judge U.S. District Judge

JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT

V Pursuant to a letter from Plaintiff's attorney (Dkt. No. 5) , the parties have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, I find that it is not necessary for this action to remain on the court's active docket.

It is therefore hereby

W ORDERED that the above-captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated; and it further

ORDERED that the dismissal of the above-captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless a party moves to re-open this case within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated.

IT IS SO ORDERED.

Date: December 21, 2009



Norman A. Mordue
Chief United States District Court Judge

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